

ALAN MICHAEL KORN (SBN 167933)
LAW OFFICE OF ALAN KORN
1840 Woolsey Street
Berkeley, CA 94703
Telephone: (510) 548-7300
Facsimile: (510) 540-4821

Attorneys for Plaintiff Penelope Houston

RICHARD J. IDELL (SBN 069033)
ORY SANDEL (SBN 233204)
IDELL & SEITEL LLP
465 California Street, Suite 300
San Francisco, CA 94104
Telephone: (415) 986-2400
Facsimile: (415) 392-9259

Attorneys for Defendant David Ferguson

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PENELOPE HOUSTON,
Plaintiff,
vs.
DAVID FERGUSON,
Defendant.

Case No.: C 10-01881 JSW

**STIPULATION RE: FURTHER
CONTINUANCE OF INITIAL CASE
MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER**

From:

Date: October 22, 2010

Time: 1:30 p.m.

Courtroom: 11

To:

Date: December 10, 2010

Time: 1:30 p.m.

Courtroom: 11

Honorable Judge Jeffrey S. White, Presiding
(E-Filing)

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6 of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiff Penelope Houston (“Plaintiff”), on the one hand, and Defendant David Ferguson (“Defendant”), on the other hand, hereby stipulate as follows:

WHEREAS, on July 1, 2010, the Court ordered a Case Management Conference set for August 6, 2010 at 1:30 p.m.; and

WHEREAS, on July 13, 2010, pursuant to stipulation of the parties, the Court ordered the Case Management Conference set for August 6, 2010 be continued to September 17, 2010 at 1:30 p.m., with all related dates adjusted accordingly; and

WHEREAS, on August 23, 2010, Defendant filed a motion to dismiss pursuant to Rules 9 and 12(b)(6) of the Federal Rules of Civil Procedure, to be heard on October 15, 2010; and

WHEREAS, on August 25, 2010, the Clerk issued a notice continuing the Case Management Conference set for September 17, 2010 to October 22, 2010 at 1:30 p.m., with the joint case management statement due on or before October 15, 2010; and

WHEREAS, the parties would like to attempt to settle this case at the mediation before expending further resources on the case, but require additional time to arrange mediation; and

WHEREAS, the parties agree that they therefore jointly request that the Case Management Conference currently scheduled for October 22, 2010 at 1:30 p.m. be rescheduled for Friday, December 10, 2010 at 1:30 p.m., and that the joint case management statement be due on or before December 3, 2010; and

WHEREAS, the requested time modifications would have no substantial effect on the schedule for this case; and

WHEREAS, pursuant to Civil Local Rule 6-1(b), a Court order is required to give effect to this stipulation; and

WHEREAS, the parties agree that Plaintiff shall give notice of any order hereon.

NOW THEREFORE, Plaintiff and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:

1.0 The parties jointly request that the Case Management Conference currently scheduled

for Friday, October 22, 2010 at 1:30 p.m. be rescheduled for Friday, December 10, 2010 at 1:30 p.m., and that the joint case management statement be due on or before December 3, 2010.

SO STIPULATED.

LAW OFFICE OF ALAN KORN

Dated: October 13, 2010

By: /s/ Alan Michael Korn

Alan Michael Korn

Attorneys for Plaintiff Penelope Houston

IDELL & SEITEL LLP

Dated: October 13, 2010

By: /s/ Richard J. Idell

Richard J. Idell

Attorneys for Defendant David Ferguson

PROPOSED ORDER

Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that the Case Management Conference currently scheduled for Friday, October 22, 2010 at 1:30 p.m. is hereby rescheduled for Friday, December 10, 2010 at 1:30 p.m. The joint case management statement shall be due on or before December 3, 2010.

Dated: October 14, 2010

By: 

Hon. Jeffrey S. White

Judge of the United States District Court

Northern District of California